This amendment responds to the final office action mailed December 10, 2009. In the office action the Examiner:

- objected to claims 32-47 and 63-65 for containing informalities;

- rejected claims 1-31, 32-47, 48-62, 63-65 and 66-78 as being indefinite under 35 U.S.C. 112, first paragraph, as failing to comply with written description;

- rejected claims 1-24, 26-30, 48, 52-53, 56-61 and 66-78 under 35 U.S.C. 103(a) as being unpatentable over Allard et al. (US 6,249,773) in view of Yonezawa et al. (US 5,905,973);

- rejected claim 25 under 35 U.S.C. 103(a) as being unpatentable over Allard et al (US 6,249,773) in view of Yonezawa et al. (US 5,905,973) and further view of Szabo (US 5,954,640);

- rejected claims 31-47, 49-51, 54-55, 62-65 under 35 U.S.C. 103(a) as being unpatentable over Daughtrey (US 7,409,643) in view of Allard et al. (US 6,249,773).

After entry of this amendment, the pending claims are: claims 1-78.

CLAIM OBJECTIONS

The Examiner has objected to claims 32-47 and 63-65 for lacking at least one structural component. Applicants respectfully disagree. Claim 32 recites "A system for displaying content viewed on a <u>display device</u>." Thus, claim 32 recites at least one structural component (i.e., a display device). Applicants respectfully request that this rejection be withdrawn.

REMARKS CONCERNING REJECTIONS UNDER 35 U.S.C. 112

1. Claims 1-31, 48-62 and 66-78

The Examiner has objected to claims 1-31, 48-62 and 66-78 under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. In particular, the Examiner argues:

the limitation in claims 1, 27, 48 and 57 cited "simultaneously displaying together multiple ones of the retrieved webpage in a single display screen" is not described in the specification. The specification only describes the limitation of simultaneously displaying associated destination objects.
(Office Action dated 12/10/2009, p. 3).

Applicant respectfully disagrees for at least the following reasons. First, the specification states, "When a link token is selected and evoked, for example, by clicking the computer "mouse" left-button while resting the cursor on the object with a link-token, the Browser would bring fourth the destination object, i.e., a webpage that is linked by the link-token." (Specification, page 4, lines 4-7) Second, Figures 9A-9E and 10A-10D show screenshots of simultaneously displaying together multiple ones of the retrieved webpages in a single display screen. For example, Figures 9A and 9B show the selection of multiple rugs (e.g., Figure 9A, 92 "Algarve", "Carlise") and Figures 9C-9E shows the display of multiple retrieved webpages (e.g., Figure 9C, 99 "Algarve", "Carlise") in a single display screen. Thus, "simultaneously displaying together multiple ones of the retrieved webpage in a single display screen" as recited in claims 1, 27, 48 and 57 is described in the specification. Applicants respectfully request that this rejection be withdrawn.

2. Claims 32-47 and 63-65

The Examiner has rejected claims 32-47 and 63-65 under 35 U.S.C 112, first paragraph, as failing to comply with the written description requirement. In particular, the Examiner argues:

> the limitation of claims 32, cited "the plurality of sub-framed array…independently and selectively scrolled without user action other than a user initiating such scrolling.." is not described in the specification.
> (Office Action dated 12/10/2009, p. 3).

Applicants respectfully disagree for at least the following reasons. At least lines 19-22 of page 26 of the specification provide support for scrolling a window without user action other than a user initiation. For easy reference, lines 19-22 of page 26 of the specification is reproduced below.

> The automatic scrolling feature of the invention scrolls the content for the browser when the browser moves the cursor to the bottom (for vertical scrolling down beyond the current screen), or to the right (for horizontal scrolling of the screen) of the view-frame. (Specification, lines 19-22, page 26) (Emphasis added).

The Examiner is respectfully requested to construe the term "automatic," in a manner consistent with its plain and ordinary meaning pursuant to MPEP § 2111.01 (III). For example, the American Heritage College Dictionary, 3rd Edition (1993), p. 93, defines "automatic" as "Acting or operating in a manner essentially independent of external influence or control." Thus, a window that is scrolled automatically is scrolled <u>without user action</u>.

At least lines 8-13 of page 32 of the specification provide support for "the plurality of sub-framed arrays being configured to be independently and selectively scrolled without user action." For easy reference, lines 8-13 of page 32 of the specification are reproduced below.

> The current invention facilitates the automated scrolling of each row or column presented in a sub-frame, commenced when the row or column display space is filled. All rows/columns can be scrolled at the same time, either at the same or different speeds. Alternatively, one can auto-scroll one rows or one column at a time, or any combination of the number of rows and columns. (Specification, lines 8-13, page 32).

In summary, "the plurality of sub-framed array…independently and selectively scrolled without user action other than a user initiating such scrolling." is described in the specification. Applicants respectfully request that this rejection be withdrawn.

REMARKS CONCERNING REJECTIONS UNDER 35 U.S.C. 103

To establish prima facie obviousness of a claimed invention, <u>all the claim elements must be taught or suggested</u> by the prior art. *In re Royka*, 490 F.2d 981, 180 USPQ 580 (CCPA 1974). Finding all the claim elements in the prior art is necessary, but not sufficient. *KSR Intern. Co. v. Teleflex Inc.*, 127 S.Ct. 1727, 1741 (2007) ("a patent composed of several elements is not proved obvious merely by demonstrating that each of its elements was, independently, known in the prior art"). "<u>All words in a claim must be considered</u> in judging the patentability of that claim against the prior art." *In re Wilson*, 424 F.2d 1382, 1385, 165 USPQ 494, 496 (CCPA 1970).

A. **Rejection of claims 1-24, 26-30, 48, 52-53, 56-61 and 66-78 under 35 U.S.C. 103(a) as being unpatentable over Allard et al. (US 6,249,773) in view of Yonezawa et al. (US 5,905,973).**

As a preliminary matter, the invention of the presently pending claims is directed at a different problem than the cited reference. In particular, the invention of the presently pending claims helps a user decide what products to purchase by simultaneously displaying product pages for multiple selected products. By simultaneously displaying detailed product

information, the user can make a better comparison of the selected products. In contrast, in the prior art a user views a starting page containing product links, selects a product link to view the corresponding product page, hits the "back" button on the browser to go back to the starting page and selects another product link. Allard is concerned with allowing users to build, create and modify shopping lists. Yonezawa is concerned with displaying a shopping cart interface in a separate window than a catalog window. In Yonezawa and Allard, the shopping list screen and the shopping cart screen do not simultaneously show products pages for each item in the shopping list or shopping cart. Furthermore, there is no teaching that the items in the shopping list or shopping cart have an associated product web page. In other words, both Allard and Yonezawa are not concerned with simultaneously displaying webpages associated with selected products in order to provide a user with an easy way to compare multiple products.

1. The combination of Allard and Yonezawa fails to disclose <u>retrieving at least one associated webpage for each one of the selected plurality of digitally stored objects</u>.

Claim 27 requires:

> on a client system having one or more processors that execute programs stored in memory of the client system:
> displaying an array of digitally stored objects;
> selecting a plurality of digitally stored objects from the array of digitally stored objects, wherein each one of the selected plurality of digitally stored objects has at least one associated webpage;
> <u>after the selecting step, retrieving the at least one associated webpage associated with each one of the selected plurality of digitally stored objects, resulting in a plurality of retrieved webpages</u>; and
> simultaneously displaying together multiple ones of the retrieved webpages in a single display screen.
> (Emphasis added).

In other words, claim 27 requires "selecting a plurality of digitally stored objects...after the selecting step, <u>retrieving the at least one associated webpage **associated with each one of the selected plurality of digitally stored objects** resulting in **a plurality of retrieved webpages**</u>." With respect to the above quoted limitation, the Examiner relies on Figures 2 and 5 of Allard. For easy reference, Figures 2 and 5 of Allard are reproduced below.
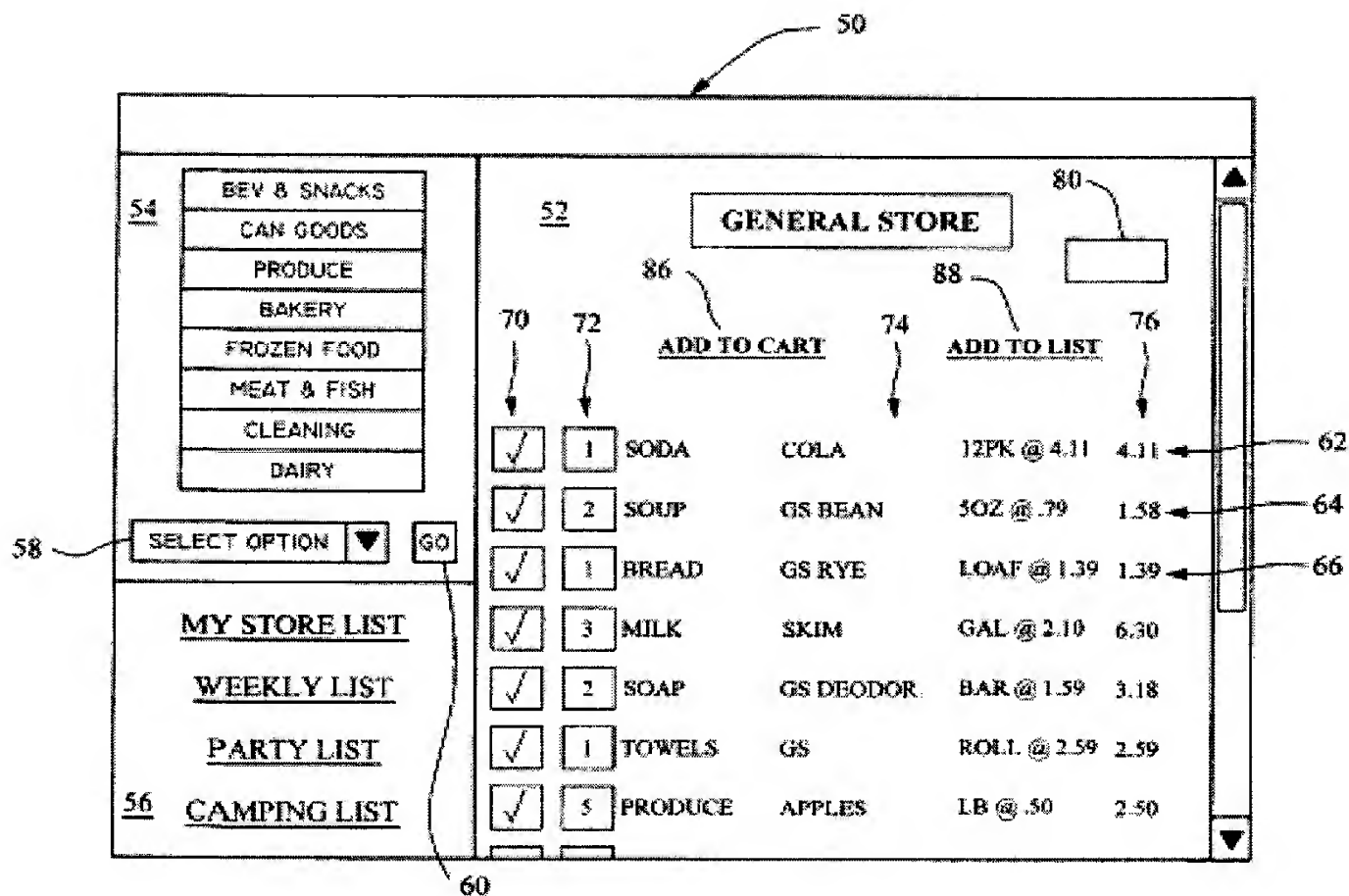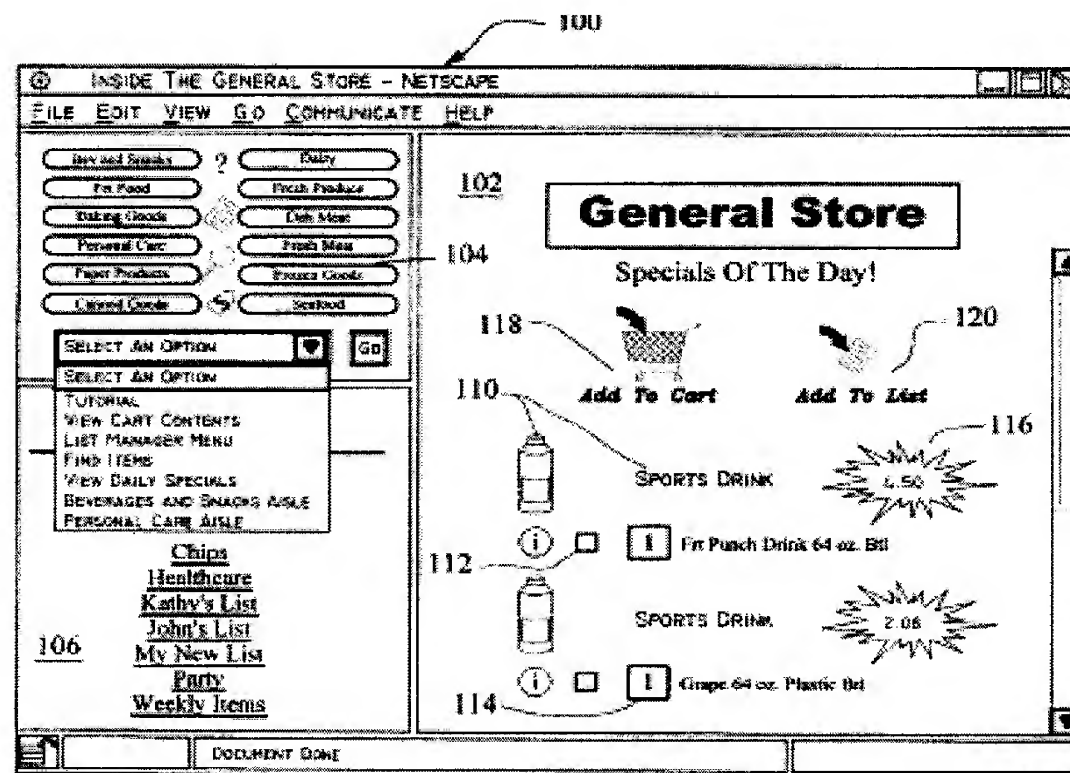
FIG. 2

FIG. 5

With respect to the Allard, the Examiner argues:

> Allad et al. teach means for retrieving the at least one associated webpage for each selected one of the plurality of the displayed digitally stored objects together form a storage medium (e.g., see Figs. 2, 5; wherein multiple selected

objects (empty webpages) in the list/card can be retrieved by clicking the function "View Cart Contents" option in a pull-down menu"
(Office Action dated 12/10/2009, p. 5) (Emphasis added).

Allard teaches selecting on said webpage a plurality of the displayed digitally stored objects (e.g., see Fig.2 and col. 5 lines 58-67; wherein check boxes 70 allow the user to select a plurality of sale products on the Web browser), each displayed digitally stored object having at least one associated webpage (e.g., see Fig. 2 and col. 5 lines 58-67, col. 6 lines 56-67; wherein the check boxes allow the user to dynamically include the selected objects into a shopping list/card.) **In this case, the object could be considered as the webpage because the webpage could be an empty webpage that could be an object); Allard et al. teach multiple selected objects (empty web pages) in the list/cart can be retrieved by clicking the function "View Cart Contents" option in a pull-down menu)**
(Office Action dated 12/10/2009, p. 25-26) (Emphasis added).

It appears the Examiner is arguing that the "sale products" in Allard are "empty webpages." The Examiner explains "the object could be considered as the webpage because the webpage could be an empty webpage that could be an object." (Office Action dated 12/10/2009, p. 26) Applicants respectfully disagree for at least the following reasons.

First, an empty webpage displays nothing. For the sake of argument, if the "sale products" in Allard are empty webpages then the "sale products" would be blank. In other words, Allard would display no "sale products." If for the sake of argument, the "sale products" in Allard were associated with empty webpages then Allard would still display nothing. A blank webpage does not display any product information and thus would not provide a user with any meaningful product information. Furthermore, a webpage of blank webpages would display nothing and therefore not help user compare product information. In contrast, the invention of the pending claims retrieves and simultaneously displays webpages associated with each selected objects in order to help a user compare the selected objects.

Second, nothing in Allard suggests that the "sale products" are webpages or are associated with webpages. Thus, the "sale products" in Allard cannot be empty webpages.

Third, "To establish inherency, the evidence 'must make clear that the missing descriptive matter is necessarily present in the thing described in the reference, and that it would be so recognized by persons of ordinary skill. Inherency may not be established by probabilities or possibilities.'"[1] Instead, the allegedly inherent characteristic must

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[1] *See*, MPEP §2112.IV citing *In re Robertson,* 169 F.3d. 743, 745, 49 U.S.P.Q.2d 1949, 1950-51 (Fed. Cir. 1999) (internal citations omitted).

necessarily flow from the teachings of the prior art reference applied.[2] The Examiner has failed to produce evidence that the "sale products" in Allard are associated with webpages or that Allard teaches "**retrieving the at least one associated webpage associated with each one of the selected plurality of digitally stored objects**, resulting in **a plurality of retrieved webpages**" as required by claim 27. The fact that Figures 2 and 5 of Allard displays some text corresponding to sale products is not sufficient to anticipate the claimed limitation.

The Applicant is unable to find any teaching in Allard concerning "sale products" that are associated with webpages or "**retrieving the at least one associated webpage associated with each one of the selected plurality of digitally stored objects**, resulting in a **plurality of retrieved webpages**." Nowhere in Allard is such information directly or even indirectly discussed.

In fact, a more logical explanation of the "sale products" in Figure 2 of Allard is that the "sale products" are text displayed on a web page.

Third, Allard discloses adding items to a virtual shopping cart or list. (Allard, Abstract) In Allard, the selected items have associated inventory data. (Allard, col. 4, lns 11-22) However, Allard does not teach or suggest that the inventory data is associated with a webpage. Thus, Allard fails to teach "**retrieving the at least one associated webpage associated with each one of the selected plurality of digitally stored objects**, resulting in a plurality of retrieved webpages" as required by claim 27.

Yonezawa is not cited for and does not teach the above quoted limitation. Yonezawa discloses adding items to a virtual shopping cart and viewing the items in the shopping cart. (Yonezawa, col. 5, lns 13-37). In Yonezawa, each item has associated item data which includes a shop code, item code, item name and unit price (Yonezawa, Figure 5 and col. 5, lns 38-46). In other words, the item data is at most a collection of numerical and textual information. Yonezawa does not teach or suggest that the item data is associated with a web page. Thus, Yonezawa does not teach or suggest "**retrieving the at least one associated webpage associated with each one of the selected plurality of digitally stored objects, resulting in a plurality of retrieved webpages**" as required by claim 27.

2.   The combination of Allard and Yonezawa fails to disclose retrieving at least one associated webpage for each one of the selected plurality of digitally

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[2] *See*, MPEP §2112.IV citing Ex parte Levy, 17 U.S.P.Q.2d 1461, 1464 (BPAI 1990).

stored objects and simultaneously displaying the retrieved associated webpages in a single window.

Claim 27 requires:

> on a client system having one or more processors that execute programs stored in memory of the client system:
> displaying an array of digitally stored objects;
> selecting a plurality of digitally stored objects from the array of digitally stored objects, wherein each one of the selected plurality of digitally stored objects has at least one associated webpage;
> after the selecting step, retrieving the at least one associated webpage associated with each one of the selected plurality of digitally stored objects, resulting in a plurality of retrieved webpages; and
> simultaneously displaying together multiple ones of the retrieved webpages in a single display screen.
> (Emphasis added).

In other words, claim 27 requires "simultaneously displaying together multiple ones of the retrieved webpages in a single display screen."

As acknowledged by the Examiner, Allard does not teach "that the multiple retrieved objects are simultaneously displayed together multiples ones of the retrieved webpages in a single display screen." (Office action dated 12/10/2009. p. 5). The Examiner relies on Figure 4 of Yonezawa to teach this limitation. For easy reference, Figure 4 of Yonezawa is reproduced below.

FIG.4

ITEM CODE	ITEM NAME	UNIT PRICE	NUMBER	SUB-TOTAL
B-01	BUNCH OF ROSES (RED)	5,000	1	5,000
B-05	GERBERA	3,000	2	6,000
S-13	BULB (POLYANTHUS)	1,500	1	1,500
S-20	BULB (TULIP)	1,000	2	2,000
TOTAL PAYMENT				14,500

CONTENTS OF SHOPPING BASKET

400, 401, 402, 404, 406, 408, 410, 412

RECALCULATE AMOUNT ~420

EMPTY SHOPPING BASKET ~422

ORDER ~424

RETURN TO SHOPPING ~426

With respect to Figure 4 of Yonezawa, the Examiner argues:

> Simultaneously displaying the plurality of retrieved items (plurality of empty webpages) of the shopping list/card in a single window for viewing is a well-known feature as demonstrated by Yonezawa et al. (wherein Fig. 4 shows an example of the shopping cart/basket contents having a plurality of retrieved items (could be considered as empty webpage) of the shopping cart/basket being simultaneously displayed in a single window).
> (Office Action dated 12/10/2009, p. 6).

It appears that the Examiner is arguing that Figure 4 of Yonezawa teaches "simultaneously displaying together multiple ones of the retrieved webpages in a single display screen." Applicants respectfully disagree for at least the following reasons.

Yonezawa discloses adding items to a virtual shopping cart and viewing the items in the shopping cart. (Yonezawa, col. 5, lns 13-37). In Yonezawa, each item has associated item data which includes a shop code, item code, item name and unit price (Yonezawa, Figure 5 and col. 5, lns 38-46). In other words, the item data is at most a collection of numerical and textual information. Yonezawa does not teach or suggest that the item data is associated with a web page. Thus, Yonezawa does not teach "simultaneously displaying together multiple ones of the retrieved webpages in a single display screen."

In summary, the combination of Allard and Yonezawa, does not teach or suggest, "simultaneously displaying together each one of the retrieved webpages in a single window." Thus, there is no prima facie case of obviousness for independent claim 27 and any associated dependent claims. Independent claims 1, 48 and 55 and associated dependent claims 2-26 and 56-60 are patentable over the combination of Allard and Yonezawa for analogous reasons as those explained with respect to claim 27. Applicants respectfully request that this rejection be withdrawn.

B.   **Rejection of claim 25 under 35 U.S.C. 103(a) as being unpatentable over Allard et al (US 6,249,773) in view of Yonezawa et al. (US 5,905,973) and further view of Szabo (US 5,954,640).**

Claim 25 depends from independent claim 48. Therefore, dependent claim 25 includes each and every limitation of independent claim 48. As discussed above, the combination of Allard and Yonezawa does not teach all of the limitations of independent claim 48. Szabo is not cited for and does not teach the missing limitations. Because Allard, Yonezawa and Szabo, either alone or in combination, do not teach at least these claim limitations, there is no prima facie case of obviousness for independent claim 48 and associated dependent claim 25. Applicants respectfully request that this rejection be withdrawn.

C.   **Rejection of claims 31-47, 49-51, 54-55, 62-65 under 35 U.S.C. 103(a) as being unpatentable over Daughtrey (US 7,409,643) in view of Allard et al. (US 6,249,773).**

     1.   The combination of Allard and Daughtrey fails to teach a sub-framed array that is configured to be independently and selectively scrolled without user interaction other than initiating such scrolling of a respective one of the plurality of sub-framed arrays.

Claim 32 requires:

> a single webpage including a plurality of sub-framed arrays, each of the sub-framed arrays including a frame with a plurality of thumbnails and a plurality of independently selectable sub-frames;
> <u>the plurality of sub-framed arrays being configured to be independently and selectively scrolled without user action other than a user initiating such scrolling of a respective one of the plurality of sub-framed arrays; and</u>

the plurality of sub-framed arrays being configured, when scrolling
without user action, to be independently stoppable by the user.
(Emphasis added).

As acknowledged by the Examiner, Daughtrey does not teach "scrolling without user action other than a user initiating such scrolling of a respective one of the plurality of sub-framed arrays; and scrolling without user action, to be independently stoppable by the user. (Office Action dated 12/10/2009, p. 17). The Examiner relies on Figure 2 of Allard to teach this limitation. For easy reference, Figure 2 of Allard is reproduced below.
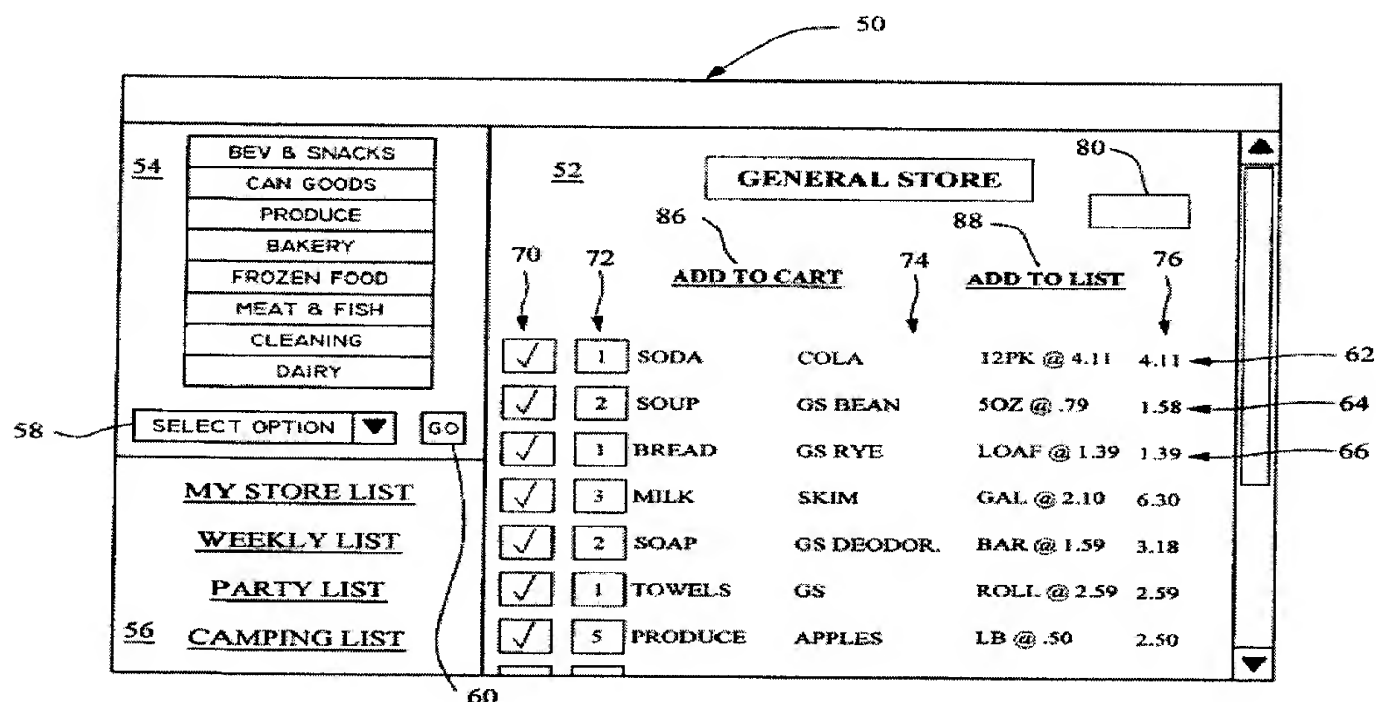

FIG. 2

With respect to the above quoted limitation the Examiner argues:

> Allard et al. teach a two-dimensional (figure 2, 70) including a vertical dynamic scroll bar that allow an orderly arrangement and presentation of content extending beyond a viewable area (figure 2 includes the scroll bar that allow an orderly arrangement and presentation of content extending beyond a viewable area of a sub-frame). Allard teaches the sub-framed array being configured to be independently and selectively scrolled without user action other than a user initiating such scrolling of a respective one of the plurality of sub-framed arrays and the sub-framed arrays being configured, when scrolling without user action, to be independently stoppable by the user (the user selects the scroll bar of figure 2 is considered as the user's initiating action; the sub-framed can be stopped scrolling by the user's imitating action of stop selecting the scroll bar.
> (Office Action dated 12/10/2009, p. 17-18) (Emphasis added).

It appears that the Examiner is arguing that when a user selects the scroll bar in Figure 2 of Allard the displayed webpage is scrolled without user interaction. Applicant respectfully

disagrees for at least the following reasons. "To establish inherency, the evidence 'must make clear that the missing descriptive matter is necessarily present in the thing described in the reference, and that it would be so recognized by persons of ordinary skill. Inherency may not be established by probabilities or possibilities.'"[3] Instead, the allegedly inherent characteristic must **necessarily** flow from the teachings of the prior art reference applied.[4] The Examiner has failed to produce evidence that Allard teaches "the plurality of sub-framed arrays being configured to be independently and selectively <u>scrolled without user action</u> <u>other than a user initiating such scrolling of a respective one of the plurality of sub-framed</u> <u>arrays</u>." The fact that Figure 2 of Allard displays a scroll bar is not sufficient to anticipate the claimed limitation.

The Applicant is unable to find any teaching in Allard concerning scrolling or scrolling without user interaction. Nowhere in Allard is such information directly or even indirectly discussed. It is noted that the words "scroll" and "scrolling" are missing from Allard. In fact, a more logical function of the scroll bar displayed in Figure 2 of Allard is that the scroll bar behaves like a manual scroll bar that requires user action to scroll a page. To scroll a page using a manual scroll bar, a user must place a cursor over an arrow displayed at one of the ends of the scroll bar and then click down on a mouse button. While the mouse button is pressed, the webpage is scrolled until the webpage is scrolled to a respective end of the page or the user releases the mouse button. It bears emphasizing that, with a manual scroll bar, the webpage is scrolled <u>while the user continues to press the mouse button.</u> In other words, <u>user action is required for scrolling a manual scroll bar</u>. Alternatively, a user may move the cursor over a portion of the scroll bar track and press the mouse button. While the user continues to press the mouse button the webpage is scrolled until the progress bar located on the scroll bar track reaches the portion of the scroll selected by the user. In this example, user action is required for scrolling. Thus, in either case, <u>user action is required</u> for scrolling. In contrast, claim 32 requires "the plurality of sub-framed arrays being configured to be independently and selectively ***scrolled without user action*** <u>other than a user initiating</u> <u>such scrolling of a respective one of the plurality of sub-framed arrays</u>."

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[3] *See*, MPEP §2112.IV citing *In re Robertson,* 169 F.3d. 743, 745, 49 U.S.P.Q.2d 1949, 1950-51 (Fed. Cir. 1999) (internal citations omitted).
[4] *See*, MPEP §2112.IV citing Ex parte Levy, 17 U.S.P.Q.2d 1461, 1464 (BPAI 1990).

2.   The combination of Allard and Daughtrey fails to teach a single webpage including a plurality of sub-framed arrays, each of the sub-framed arrays including a frame with a plurality of thumbnails and a plurality of independently selectable sub-frames.

Claim 32 requires:

> a single webpage including a plurality of sub-framed arrays, each of the sub-framed arrays including a frame with a plurality of thumbnails and a plurality of independently selectable sub-frames;
> the plurality of sub-framed arrays being configured to be independently and selectively scrolled without user action other than a user initiating such scrolling of a respective one of the plurality of sub-framed arrays; and
> the plurality of sub-framed arrays being configured, when scrolling without user action, to be independently stoppable by the user.
> (Emphasis added).

As a preliminary matter, a HTML frame is well known in the art. A frame displays a document such as a webpage. A web page may be organized into multiple frames. Thus, a webpage that contains multiple frames is a webpage that displays multiple documents. A HTML table is a HTML element that allows information to be formatted as a table. It is noted that a table is a not a separate document. As discussed in greater detail below, Daughtrey discloses using a table but not a sub-framed array including frames.

The Examiner relies on Figure 3 of Daughtrey to teach "a single webpage including a plurality of sub-framed arrays, each of the sub-framed arrays including a frame with a plurality of thumbnails and a plurality of independently selectable sub-frames." (Office Action dated 12/10/2009, p. 17).

The text corresponding to Figure 3 of Daughtrey discloses:

> Referring now to FIG. 3, a web page 70 that depicts results from the server process 16 executing a query entered via the query page (FIG. 2) is shown. The web page 70, includes a table 72 that summarizes travel options. The travel option summary table 72 is a tab table comprised of a tab 74a that groups summary information by airlines, a tab 74b that groups summarized information by flight times and a tab 74c that summarizes travel information by airports.
> (Daughtrey col. 3, lines 9-16) (Emphasis added).

In other words, Daughtrey displays a table of thumbnails and not "a single webpage including a plurality of sub-framed arrays, each of the sub-framed arrays including a frame with a plurality of thumbnails and a plurality of independently selectable sub-frames" as required by claim 32.

Allard is not cited for and does not teach this limitation. In summary, the combination of Allard and Daughtrey, does not teach or suggest at least one limitation of claim 32. Thus, there is no prima facie case of obviousness for independent claim 32 and associated dependent claims 33-47 and 63-65. Dependent claims 31, 49-51, 54-55 and 62 are patentable over the cited reference for analogous reasons as those with respect to claim 32. Applicants respectfully request that this rejection be withdrawn.
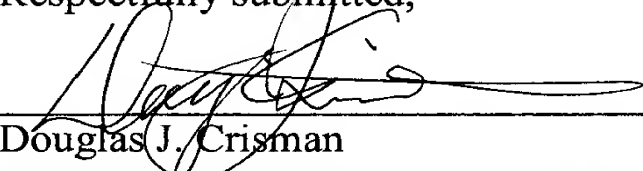
By responding in the foregoing remarks only to particular positions asserted by the Examiner, the Applicants do not necessarily acquiesce in other positions that have not been explicitly addressed. In addition, the Applicants' arguments for the patentability of a claim should not be understood as implying that no other reasons for the patentability of that claim exist.

CONCLUSION

In light of the above amendments and remarks, the Applicant respectfully requests that the Examiner reconsider this application with a view towards allowance. The Examiner is invited to call the undersigned attorney at (650) 843-4000, if a telephone call could help resolve any remaining items.

Respectfully submitted,

Date: February 10, 2010

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